

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE GRAND JURY SUBPOENA
PROCEEDING v. CORREIA, et al

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) Docket No. 05-MC-10206-MBB
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**MENOM M. SIVADAS' MOTION FOR
MODIFICATION OF RELEASE CONDITIONS**

Menom M. Sivadas, a material witness in the above-captioned matter, hereby moves the Court for a one-time modification of one of the conditions of his release. As support for this Motion, Mr. Sivadas states as follows:

1. Since May 20, 2005, Mr. Sivadas has been detained in Boston as a material witness in this investigation. He has fully complied with all terms of his pretrial release conditions.
2. One of those conditions requires that Mr. Sivadas have "[n]o access to any points of egress (i.e. airport terminals, train stations, ports of call)." *See* Pretrial Services Memorandum, dated May 20, 2005, attached hereto as Exhibit A.¹
3. Tomorrow, July 13, 2005, Mr. Sivadas' son is traveling to Boston and will arrive at Logan Airport at approximately 4:00 p.m. Mr. Sivadas would like to accompany the driver who is scheduled to pick up Mr. Sivadas' son so that he can meet his son at the airport. The driver is an individual who has transported all of the material witnesses in this case back and forth from their lodging while they have been detained.
4. Mr. Sivadas has surrendered his passport and does not pose a risk of flight.

¹ On May 24, 2005, the Court granted a motion to modify one of the conditions of release listed in the Pretrial Services Memorandum (*i.e.*, since that date, all of the witnesses have been lodged at the Mariners House in Boston).

5. The requested relief serves the interests of justice.

WHEREFORE, Mr. Sivadas respectfully requests that this Motion be granted.

Respectfully submitted,

Menom M. Sivadas

By his attorneys,

/s/ Douglas S. Brooks

Frank A. Libby, Jr. (BBO No. 299110)

Douglas S. Brooks (BBO No. 636697)

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Dated: July 12, 2005

EXHIBIT A



MEMORANDUM

To: Honorable Marianne B. Bowler, U.S. Magistrate Judge

From: David A. Picozzi, U.S. Pretrial Services Officer

Re: MATERIAL WITNESSES (See List)

Date: May 20, 2005

On May 20, 2005 Pretrial Services Officer, David Picozzi and EM Christopher Wylie conducted interviews of the above listed material witnesses. Each individual was represented by counsel throughout the interview process. Due to the extensive number of interviews and time constraints, regretfully we are unable to provide pretrial reports at this time.

After consulting with counsel, Pretrial Services would suggest the following conditions of release be imposed for each individual named in this matter:

Personal Recognizance

Maintain residence as designated by the Court

Report to pretrial services as directed

Surrender all passports and travel documents to Pretrial Services

Travel is restricted to the Metropolitan Boston area

No access to any points of egress (ie. airport terminals, train stations, ports of call)

Notify Pretrial of any new arrests and contacts with law enforcement within 24 hours

Statutory conditions of release

DAP/lis

Reviewed by:

John R. Riley, Chief

U.S. Pretrial Services Officer

MATERIAL WITNESSES
In Re Grand Jury Proceeding (M/V MSC Elena)

<i>Name</i>	<i>Rank</i>	<i>Attorney</i>	<i>Birth Date</i>	<i>Passport or Seaman's Passport No.</i>
Maurice Correia	Motorman	Frank Libby	11/17/1968	A2877062
Joe Cherian	Wiper	Frank Libby	10/04/1979	A9799308
Jagdish Chand	Third Engineer	Frank Libby	10/25/1963	A1081043
Raj Rajesh Fernado	Motor Man	Frank Libby	02/10/1969	A4001683
Aman R. Mahana	Second Engineer	Peter Ball	03/08/1976	E3839434
Ranjish Mukulam	Fourth Engineer	Frank Libby	05/03/1975	B0053778
Mani Singh	Chief Engineer	Josh Levy	06/10/1948	E4397396
Menom M. Sivadas	Master	Frank Libby	07/31/1953	F3368599
Ankur Srivastav	Junior Engineer	Frank Libby	02/24/1982	E8349845